

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
SUBURBAN HEIGHTS LLC,)
CRESTLINE PROPERTY LLC,)
TRILINE PROPERTIES LLC, and)
JINGLE PROPERTIES LLC,)
Defendants.)
Case No. 4:24-cv-01319-SEP

APPLICATION FOR ENTRY OF DEFAULT

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff United States of America (“United States”) respectfully requests that the Clerk enter default against Defendant Suburban Heights LLC, based on its failure to plead or otherwise defend this action.

1. On October 3, 2024, the United States filed a Complaint in this case against four defendants, including Defendant Suburban Heights LLC. (ECF No. 1).

2. Suburban Heights LLC is a limited liability company incorporated in Missouri. Its registered agent is Lester Stuckmeyer,¹ 105 Concord Plaza, Suite 209, St. Louis MO 63128. See Ex. 1 (Articles of Organization).²

¹ Counsel for the United States and Mr. Stuckmeyer communicated via telephone and email regarding this matter from around January 2023 through September 2024. Counsel for the United States sent a courtesy copy of the filed Complaint to Mr. Stuckmeyer via email on October 4, 2024, and attempted to reach him via phone and email several times after that. Mr. Stuckmeyer has not responded to Counsel for the United States since the Complaint was filed.

² See also <https://bsd.sos.mo.gov/BusinessEntity/BusinessEntityDetail.aspx?ID=3365145&page=beSearch> (Missouri Secretary of State Limited Liability Company details for Suburban Heights LLC) (last viewed January 15, 2025).

3. Defendant Suburban Heights LLC's principal office address is also 105 Concord Plaza, Suite 209, St. Louis MO 63128, and has been since July 2012. *Id.*

4. Fed. R. Civ. P. 4(h)(1)(A) provides that a corporation, partnership, or association may be served in the manner provided by Rule 4(e)(1), which states that service of a summons and complaint may be effectuated by "following state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located or where service is made." Fed. R. Civ. P. 4(e)(1); 4(h)(1)(A). Under Missouri state law, a corporation, partnership, or other unincorporated association may be served "by leaving the copies [of the summons and petition] at any business office of the defendant with the person having charge thereof or by delivering copies to its registered agent . . ." Mo. Supreme Court Rules, Rule 54.13(b)(3).

5. On November 14, 2024, a registered process server left copies of the Summons and Complaint with an adult having charge of the business office of Suburban Heights LLC and its registered agent's address, at the law firm of Martin, Leyhe, Stuckmeyer and Associates LLC, 105 Concord Plaza, Suite 209, St. Louis MO 63128. (ECF No. 17). Proof of service was executed on November 14, 2024, and filed with the Court that same day. *Id.*

6. Defendant Suburban Heights LLC's response to the Complaint was due on December 5, 2024. (ECF No. 17).

7. As of the date of this Application, Defendant Suburban Heights LLC has not filed any response to the Complaint, nor requested any extension of time in which to do so.³

³ On January 13, 2025, Defendant Suburban Heights LLC filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. *See* Ex. 2 (Notice of Winding Up for Limited Liability Company); *also available at* <https://bsd.sos.mo.gov/BusinessEntity/BusinessEntityDetail.aspx?ID=3365145&page=beSearch> (last viewed Jan. 15, 2025). The Notice of Winding Up states that persons with claims against

8. Accordingly, the United States respectfully requests that the Clerk enter default against Defendant Suburban Heights LLC pursuant to Fed. R. Civ. P. 55(a).

Dated: January 17, 2025

Respectfully submitted,

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Suburban Heights LLC must present them within three years, and must mail them to Michael Becker, 2276 Crimson View Drive, Ellisville MO 63011. The United States' claims against Defendant Suburban Heights LLC were filed with this Court well before the Notice of Winding Up was filed. However, the United States will send courtesy copies of the Summons, Complaint, and this Application to Michael Becker at the address indicated.

CERTIFICATE OF SERVICE

I certify that I served the foregoing document to attorneys of record via the Court's CM/ECF electronic notification system on January 17, 2025. Additionally, the document was served on January 17, 2025, to the following:

Via first class mail and email (courtesy copy):

Suburban Heights LLC
c/o Lester Stuckmeyer, registered agent
Martin, Leyhe, Stuckmeyer and Associates LLC
105 Concord Plaza, Suite 209
St. Louis, MO 63128
Lester@mlslawmo.com

/s/ Anna Purinton

ANNA PURINTON